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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE JUNIPER NETWORKS, INC.
SECURITIES LITIGATION

No. C06-04327-JW

**STIPULATION AND ORDER
ALLOWING DEPOSITIONS TO
PROCEED AFTER THE DECEMBER
1, 2009 DISCOVERY CUTOFF,
AS MODIFIED BY THE COURT**

1 This Stipulation is entered into by and among Lead Plaintiff the New York City Pension
2 Funds and Defendants Juniper Networks, Inc., Scott Kriens, Pradeep Sindhu, Marcel Gani,
3 Robert M. Calderoni, Kenneth Goldman, William R. Hearst III, Stratton Sclavos, Vinod Khosla,
4 Kenneth Levy, and William R. Stensrud (the “Juniper Defendants”), by and through their
5 respective attorneys of record.

6 WHEREAS, on November 13, 2009, Lead Plaintiff filed a Motion for Sanctions against
7 Defendant Ernst & Young in which Lead Plaintiff has requested, *inter alia*, that the Court permit
8 it to recall Juniper and Ernst & Young witnesses after Lead Plaintiff finished reviewing
9 documents Ernst & Young had recently produced;

10 WHEREAS, shortly after Lead Plaintiff filed the Motion for Sanctions referenced above,
11 the Juniper Defendants offered, and Lead Plaintiff agreed, to adjourn the depositions of certain
12 Juniper witnesses (Bill Carey, Ken Goldman and Marcel Gani) so that Lead Plaintiff could finish
13 its review of Ernst & Young documents and complete those depositions in a single sitting, and
14 the Juniper Defendants agreed that such depositions could take place after the December 1, 2009
15 discovery deadline if necessary;

16 WHEREAS, for separate reasons, Lead Plaintiff and the Juniper Defendants agreed that
17 the depositions of William Hearst, Robert Calderoni, Luke Fewel, and Ken Levy could take
18 place after the December 1, 2009 discovery deadline;

19 WHEREAS, in addition, the Magistrate has pending before her Lead Plaintiff’s motion
20 for leave to take additional depositions (the “Additional Depositions”), the number of which is
21 not yet resolved;

22 WHEREAS, the Lead Plaintiff has requested that, if the Magistrate grants their motion
23 for Additional Depositions, or if the parties agree between themselves as to the number of such
24 additional depositions, it be allowed to complete those Additional Depositions in December 2009
25 and January 2010 notwithstanding the December 1, 2009 discovery deadline, and the Juniper
26 Defendants do not oppose that request;

27 WHEREAS, the parties agree that the above scheduling will foreclose the possibility of
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proceeding with the expert discovery deadlines set forth in the Stipulated Discovery Plan [Dkt. No. 179] as currently ordered, and request that the Court adjourn those deadlines and convene a status conference in February 2010 to address those deadlines;

THEREFORE, the parties stipulate, and request the Court to enter an order, that:

Notwithstanding the December 1, 2009 discovery deadline, Lead Plaintiff may complete the above-referenced depositions of Bill Carey, Ken Goldman, Marcel Gani, William Hearst, Robert Calderoni, Luke Fewel, and Ken Levy, plus any Additional Depositions granted to Lead Plaintiff by the Magistrate or agreed to by the Juniper Defendants, in the months of December 2009 and January 2010.

DATED: November 23, 2009

LOWEY DANNENBERG COHEN & HART, P.C.

/S/
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10 *Counsel for the Juniper Defendants*

11 * * *

12 **ORDER**

13 PURSUANT TO STIPULATION, IT IS ORDERED.

14 DATED: December 18, 2009

15 
16 Magistrate Judge